

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

PETER PEDERSEN,

Plaintiff,

v.

ZOHO CORPORATION,

Defendant.

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Civil Action No. 6:22-cv-00408-ADA

**DECLARATION OF PHILLIP J. HAACK
IN SUPPORT OF ZOHO CORPORATION'S MOTION TO DISMISS**

I, Phillip J. Haack, declare as follows:

1. I am an attorney licensed to practice law in the State of California and am a partner with the law firm of Marton Ribera Schumann & Chang LLP, counsel for Defendant Zoho Corporation ("Zoho") in this matter. I submit this declaration in support of Zoho's Motion to Dismiss Under Rule 12(b)(6). I have personal knowledge of the facts set forth herein unless otherwise indicated, and if called to testify, I could and would testify competently thereto.

2. Exhibit 1 is a true and correct copy of U.S. Patent No. 6,047,310 to Kamakura et al., titled "Information disseminating apparatus for automatically delivering information to suitable distributees" and dated April 4, 2000.

3. Exhibit 2 is a true and correct copy of excerpts of the prosecution history of U.S. Patent No. 6,965,920 that was obtained from the Patent Center website of the United States Patent and Trademark Office (<https://patentcenter.uspto.gov/>) on September 22, 2022.

4. Exhibit 3 is a true and correct copy of a printout that was obtained from the Zoho website at the URL <https://www.zoho.com/campaigns/features.html> on September 26, 2022.

5. Exhibit 4 is a true and correct copy of a printout that was obtained from the Zoho website at the URL <https://www.zoho.com/campaigns/marketing-automation/email-workflow.html> on September 26, 2022.

6. Exhibit 5 is a true and correct copy of a printout that was obtained from the Zoho website at the URL <https://www.zoho.com/campaigns/sign-up-forms.html> on September 26, 2022.

7. Exhibit 6 is a true and correct copy of a printout that was obtained from the Zoho website at the URL <https://www.zoho.com/campaigns/contact-management.html> on September 26, 2022.

8. Exhibit 7 is a true and correct copy of a printout that was obtained from the Zoho website at the URL <https://www.zoho.com/campaigns/topic-management.html> on September 26, 2022.

9. Exhibit 8 is a true and correct copy of a printout that was obtained from the Zoho website at the URL <https://help.zoho.com/portal/en/kb/campaigns/user-guide/contact-management/topics/articles/understanding-topics-new-version> on September 26, 2022.

10. Exhibit 9 is a true and correct copy of a printout that was obtained from the Zoho website at the URL <https://help.zoho.com/portal/en/kb/campaigns/user-guide/signup-forms/creating-a-signup-form/articles/associate-signup-form-with-topics> on September 26, 2022.

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct. Executed this 26th day of September 2022 in San Francisco, CA.

/s Phillip J. Haack
Phillip J. Haack